LIBERTY OF CONSCIENCE

Asserted and Vindicated.

By a Learned Country-Gentleman.

Humbly offered to the Consideration of the LORDS and COMMONS in this present PARLIAMENT.

LONDON,
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THE PREFACE.

Courteous Reader,

MY Purpose in the following Treatise is not to satisfy all the Questions which may be put, as, What if any one should preach in the Pulpit (in terminis) that Jesus is not the Christ, or against the Resurrection of the Dead, or any other Article of our Faith, which all who call themselves Christians do acknowledg? or affront the Minister at the Communion, and pull the Cloth and Utensils off the Table? such things by the place and manner of doing them, may be reduced to meer Impiety, and punished as Crimes against natural Light. But my Business is to assert a just Liberty in such controversial things of Religion, as they who have forsaken the Church of Rome do differ in, and have, as they suppose, some able and learned, sober and Godly Men of their Persuasion, supposing that in the mean time they behave themselves peaceably, and live without any Civil Injury: for my own part I am so far from thinking that any of these Sects ought to be punished, that I believe they might communicate each with other, notwithstanding any Opinion in Religion which they hold, (if that be all) had they but Charity enough to bear with, and forbear one the other: for he who believeth that Jesus is the Christ, is born of God, 1 John 5. 1. and is built upon the Rock, Matth. 16. 16,18.

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Although I will not deny but I ſhould prefer a purer Church before a leſs pure, and perhaps one that is not of my own Perſuaſion before one that is, for other cauſes; but I cannot communicate with any Church, which will require me to ſubſcribe to, or by my Practice and Geſture, to juſtify any the leaſt thing which I judg to be unlawful, or elſe I ſhall not communicate; for Example, The Baptiſm of Infants is not ſo material a thing either way, as that Men ſhould break Communion upon it; for there is for it neither Precept nor Precedent: On the other ſide it is not forbidden, but if he who thinks it unlawful to baptize his Infant, ſhall not communicate except he doth, he cannot lawfully communicate; and the Schiſm is on their part, who will force it as a neceſſary Condition of Communion, for they cauſe Diviſions, Rom. 16. 17. *I think there are in our Church others who deſerve Toleration leſs than any Diſſenters whom I know, as notorious Prophaners of the Lords Day, Haunters of Ale-houſes at unſeaſonable times of the Night, or when according to their Conſciences, they ſhould be at Church: and other debauched Perſons whom we hear daily in the Streets curſing and ſwearing, bidding God to damn themſelves and others. Now that they are groſly miſtaken, who tolerate ſuch Perſons as theſe that offend againſt their own Conſciences, and yet ſeverely puniſh Diſſenters in matters of mere Religion, will be ſufficiently proved in the following Diſcourſe.*

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Of Liberty of Conscience.

Qui bene distinguit, bene docet, It will therefore be requisite to premise a word or two for distinction's sake.

And *First*, We need not trouble our selves to define Conscience logically, but taking that word grossly, and as it is vulgarly understood, we mean by Conscience any Man's Perswasion of what he is to believe and practise, which may be of two sorts;

1. Either first, of such things as may be known by the common Light of Nature: Or,

2. Such things as are known only by Divine Revelation. And these are of two sorts:

1st. Such as concern the revealed Will of God under the Old Testament, which is called the Law: Or,

2dly. The Revealed Will of God under the New Testament, which is called the Gospel. And,

Secondly, By Liberty we mean an Immunity from Punishment, and that is either,

1. Divine, *viz.* the just Judgments of God.

2. Humane, and those are twofold;

(1.) Civil and Temporal Punishments, by loss of Life, Limb, or Estate, *&c.*

(2.) Ecclesiastical, by the Admonitions and spiritual Censures of the Church. These things being premised, the Truth concerning Liberty of Conscience will be cleared by the proof of the following Propositions.

I. First then, if the Conscience be erroneus by any great Fault against the common Light of Nature, we cannot assert any Freedom to it: For God will punish it, and the King will punish it, and so should the Church too by her spiritual Cen-

surer: and the greater the Error is as to the clearness of the Light, against which it is committed, or as to the Mischief and Malignity of it, the more punishable it is; for else we should introduce a Liberty for professed Atheism, Blasphemy, Murther, Adultery, Theft, &c. for *Catilines* and *Ravilliacks*, &c. for Punishments in such cases may be proper and more likely to amend the Delinquent, and save the Community from such Mischiefs as such Errors tend to bring upon it. Yet do not good Magistrates write all their Laws in Blood, but decree Capital Punishments only against Capital Offenders, and especially for such Offences as are against the second Table, which Magistrates are better able to judg of, and strike at the Root and Being of Civil Societies, as Murther, Paricide, &c. I mentioned gross Errors in the Proposition, for as *Aquinas* saith in his *Summes*, All Faults against natural Light belong not to the Cognizance of the Civil Magistrate, who is a publick Person, but are to be corrected by Oeconomicks and Ethicks; so for the most part the Faults of Children are to be corrected by their Parents.

Besides, some gross Errors may be excepted as they may be circumstantiated or over-ruled by Education and Religion, therefore the Christians did not persecute the Heathens as the Heathens persecuted them, although the Idolatries of the Heathens were contrary to common Light, nor do the Protestants persecute the Papists as the Papists persecute the Protestants, though some of the Errors of the Papists, as Transubstantiation, are grosly against the common Light of Reason and Sense it self; but more tolerable as Errors meerly, than paying *Peter*-pence to the Pope is in Civil Government.

II. *Prop.* Such Jews as lived in the Times of the Old Testament were not to have the Liberty of their Consciences as to humane Punishments, though a great part of that Law consisted only of the revealed Will of God; for God's Will was likewise revealed that they should be punished. Now these Ordinances unto which the Jews were bound, were mostly concerning the outward Man, and very clearly revealed: Besides, the Jews had their *Urim* and *Thummim*, their Priests and Prophets, whom God according to his Promise, *Deut.* 18. 18. raised up from time to time for their Direction, whom the People were bound to hear under penalty of Excision; neither were

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the Strangers that dwelt in the Land, and were but Proselytes of the Gate, nd be tolerated in Blasphemy, *Lev.* 24. 16. in Idolatry, *Deut.* 17. 4, 5. In Sabbath-breaking, *Exod.* 31. 15. so *Numb.* 15. 35. it was revealed that he who gathered Sticks upon the Sabbath-day should be put to death; though for other things God did not bind the Gentiles to the like Obedience to the Law with the natural Jews: Neither did the Jews require it of them, nor do they now; from whence it appears that is a great Paralogism to argue from what was done by Kings and Princes under the Old Testament, to the like under the New; as if a Man should now argue from *Elijah*'s slaying *Baal*'s Prophets, 1 *Kings* 18. 20. or from that in *Zech.* 13. 3. *Thou shalt not live, for thou speakest Lies in the Name of the Lord*, as some have argued from *Asa*'s Covenant to put Men to Death, 2 *Chron.* 15. 13. what a hideous deal of Mischief might an ignorant Zealot be perswaded to do from ill managing the Old Testament; as I have heard some in the Pulpit to argue from thence for the observation of the Lord's Day, as would prove the *Saturday Sabbath*, and not lawful now under the Gospel to kindle a Fire upon Saturday.

But some will say, that the Equity of that Law obligeth still, giving to Kings and Princes power to reform the House of God. I answer, Be it so; but what that Equity is must not be taken as every Man shall imagine of his own Head, but from the Law of Nature, and from the positive Law of Christ: *Placeus* says that those Kings were all typical; and it is probable that in the spiritual sense, not Kings, but prevalent Parties in the Christian Church are to be understood, so *Hieron ad Paulinum, Haereticorum bella adversus Ecclesiam declarantur.* A Magistrate may do much for the propagation of the Christian Religion against such Errors as are meerly against the Gospel, by protection of the Orthodox, by his Munificence, Encouragement, Direction, Example, and against moral Errors and Impieties by due coercion; for where these are carefully look'd to, no fear but the Gospel will thrive well: but that the Magistrate is to punish Errors and Heresies meerly concerning the Faith of Christ, where there is not sufficient mixture of moral Impiety, proved by sufficient Witnesses, that this I say is any part of the moral Equity of that Law, I deny, *affirmanti incumbit probatio.*

III. My third Conclusion is this, Errors and Heresies against the Faith of Christ, only and meerly as such, are not to be punished with civil Punishments by the Christian Magistrate. I shall prove this Proposition by these Arguments following.

I. First I reason *ab Authoritate divinâ negativè*, which no Logician can reasonably deny in this case. I reason therefore thus, Our Saviour Christ hath neither by himself, nor by his Apostles, commanded any such thing; therefore no such thing ought to be done. To meddle with the Estates, Liberties, Limbs or Lives of Men is no indifferent thing, but a matter of great consequence, and therefore our Saviour Christ, who was the great Law-giver of the Christian Church, and was faithful to him that appointed him, who spared not to threaten and denounce the judgments of God, and knew very well that the Christians would one day gain the Imperial Crown; I say, he would not only have commanded all Christian Kings and Princes in a thing so important, (as *Mahomet* bids his Disciples to fight for the Faith, with promise of great Reward) but have given them plain and particular Rules to guide them, that they should not draw the Ruin and Blood of Men upon them where 'tis so dangerous to mistake and exceed. Our Saviour foresaw the grand and general Apostacy of the Christians from the Purity of the Faith, and was therefore very unlikely to put such Knives into the hands of Apostates, or Men imperfectly reform'd: We see what Work they have made for their abominable Heresies, thinking to do God Service in burning Men alive; which is enough to satisfy any Man of a true Christian Spirit of the Antichristianism of the Opinion which I oppose, since all Errours are not equal, neither ought the Punishment: What Rule hath our Saviour left, or can any Man imagine by which to proportion the Punishments which are of many sorts and degrees; indeed the Pope, as if he would supply what Christ left defective, makes his own Definitions and Decrees, the Rule whereby to judg of Heresy; and his own arbitrary Will, the Standard of its Punishment; being in that directly Antichrist, *i. e.* contrary to Christ.

Now if Christ hath not commanded, they are surely too officious that will offer violence to any Man for his sake, and may expect their Reward from him that set them on work, *non amo nimium diligentes.*

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But to prosecute this Argument further, it is clear that there is nothing to be alledged from the Current of the Gospel, so that the Adversary is constrained to glean up Scrap or two I think there was hardly ever any thing alledged from our Saviour's own Words, except some few have drifted from those Words, *Luke* 14. 23. *Compel them to come in*, which are part of a Parable, and according to the scope of it to be understood of importunate preaching; for surely the Apostles were no Masters of the Temporal Sword: the word is in the Greek ἀνάγκασον, which is best understood of urgent Invitation, and most proper to bring such as are there spoken of to his Supper. *Paul* useth the same word of Perswasion and Example, *Gal.* 2. 14. *Why compellest thou the Gentiles to live as do the Jews?* So that little is to be alledged from the Apostle's Words, but from some general Expressions, and by consequence, as thus; it may be objected, That though the Apostles could not punish for as being no Magistrates, yet *Peter* denounced God's Judgments against *Ananias* and *Sapphira*, Acts 5.

1. I answer, first, That is without the state of the Question; for that was in a criminal Cause, of Lying, Dissembling, Portioning, Sacrilege, Vow-breaking, and I will not deny but Heretick may be punished for the like Faults, when they can be proved against them, as they use to be against other Men: *Ananias* and *Sapphira* might be Orthodox enough as to any point of Doctrine.

2. What *Peter* did by extraordinary Inspiration and miraculous Infliction upon some particular Persons, is no Rule for uninspired Men to go by in ordinary cases; Magistrates being sometimes young Men and Women, and of small Learning in the Scriptures, and which is worse, often wicked Men and Hereticks themselves by Education, Interest and Practice.

This may answer to that which was said of them who were delivered over to Satan, and that *Paul* saith of the Judaizers, *I would they were cut off that trouble you*, Gal. 5. 12. viz. as Dr. *Dupert* expounded at *St. Maries* in *Cambridge*, that God would cut them off, which yet may be meant of Excommunication, as in *ver.* 10. And the Apostle who was no Magistrate, and *ver.* 11. suffered Persecution, was very unlikely to perswade the Galatian Magistrates to persecute. 'Tis also certain that those Judaizers were Men full of moral Impiety, and Persecutors of others.

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The same Text may serve for them who were blamed, *Rev.* 2. 20. for suffering *Jezebel* the false Prophetess to seduce; but to what? even to Fornication and Idolatry. Moreover, what Toleration is here blamed, is easily proved by this, that the Christians were then no Magistrates, but were by sound Doctrine to have stopped the Mouths, and convinced Gain-sayers by the Sword of the Spirit, which is the Word of God; and if the seven Churches be prophetical, as hath of late been very well proved, we know who they were that had the temporal Sword, and how well they managed it in the Thyatirian Interval; they were certainly damnable Hereticks, and such as deserved to be punished for their innumerable Crimes, if they had had their due.

As an *Appendix* to this Argument, let it be considered, that the Apostles and Primitive Christians being accounted Hereticks by the generality of Men, were very unlikely to have put such a Sword into the hands of their Enemies, as to teach them that Hereticks were to be punished by the Civil Magistrate.

And our Saviour Christ laying the Foundation of his Church in his own Blood, and the Blood of his Apostles and Disciples, was very unlikely to prescribe a way for the shedding the Blood of his Enemies by a judicial Trial in humane Courts, for that wherein their Consciences were thorowly satisfied as true and good, and therefore must needs think themselves honest and innocent, and the Christians unjust and inhumane, notwithstanding all their preaching up of Meekness, and the Example of the most meek and merciful Jesus, who endured such Contradiction of Sinners against himself; what had that been but to disgrace the Glory of Christian Martyrdom, as when our Saviour biddeth *Peter* to put up his Sword, *Matth.* 26. 52. he giveth this reason; *For they that take the Sword, shall perish by the Sword*; intimating nothing of real worth and excellency in the Sufferings of Christians by the Sword, if themselves should take the Sword as a matter but of *quid pro quo*. He wanted not more effectual Souldiers to have made use of against his Persecutors, *viz.* whole Legions of Angels.

II. I argue from Divine Authority affirmatively, Our Saviour doth condemn Persecution in meer Causes of Religion in that Parable of the Tares, *Matth.* 13. and so *Chrysostom*, *Austin*, and others both ancient and modern have expounded the place.

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The Reapers are to be Angels, not Men; those Words, *Let them grow together*, cannot forbid Excommunication, and therefore, *Let them grow together*, must forbid temporal Excision; and if that should be taken only to signify eventually, that there would be Tares to the End of the World, yet there is a good Argument in the Caution, *ver.* 29. *Lest while ye gather the Tares, ye root up the Wheat also*; for though Men may think that they can distinguish clearly enough betwixt Tares and Wheat in some cases of Heresy, yet as wise Men as they have found themselves deceived, *Acts* 26. 9. And let Men give way to judicial Proceedings in this kind, and the Ignorance and Rashness of Men will pluck up ten Orthodox Professors for one Heretick, I am sure they have hitherto pluck'd up many more. Now in Civil Causes there is not the like danger, wherein the Criminals own Consciences accuse them for the most part, and they cannot deny the justness of the Law, but deny their own particular Fact; which made St. *Cyprian* say to *Demetrian*, Proconsul of *Africa*, *Torqueri enim debui si negarem —— nunc autem cum sponte confitear*, &c. *quid tormenta admoves confitenti?*

2. Consider also how our Saviour rebuked his Disciples when they called for Fire from Heaven upon the Samaritans who received him not when his Face was as though he would go to *Jerusalem*, Luke 9. 55. *Ye know not what manner of Spirit ye are of*; i. e. how unsuitable these killing Spirits or Dispositions of yours are to the Times of the Gospel, or that the Times of the Gospel require you to be of other Dispositions; see Dr. *Hammond in loc.* It is manifest that our Saviour opposeth not fault to fault, as if the *Samaritans* fault was less deserving Punishment; nor doth it appear that he opposeth the private Passions of his Disciples, as Desire of Revenge, or the like, to the publick Spirit of *Elias*, but he opposeth the Severity of legal Times to the eminent and extraordinary Grace of the Times of the Gospel, as appears by the words following, *ver.* 56. *For the Son of Man is not come to destroy Mens Lives, but to save them*; as if he had said, Ye must not be so prodigal of Mens Lives, now the Saviour of the World is come to lay down his own Life for the ransom of other Mens.

3. Some also argue from those words of the Apostle, 2 *Cor.* 10. 4. *For the Weapons of our Warfare are not carnal*; where tho the word *carnal* doth signify weak, as the word Flesh is often

used

ate Bodily Weakness, yet the words do imply that the Christian Weapons are spiritual and of another sort distinct from those which worldly Souldiers use.

III. My next Argument is drawn *à Regula Fidei*, from the Rule of Faith, viz. the Scriptures; it is not proper to say that the Scripture is *Judex Controversiarum*, the Judg of Controversies, but it is *Norma Fidei*, the Rule of Faith: this I take here for granted. Now this Rule is too hard to be understood to be introduced into humane Courts for civil coercion by temporal Punishments; for unto the right determination of many Questions in Religion the Scriptures must be well translated, various Copies must be consulted, Figures of Speech must be known, and the Idiom or Propriety of Language with many obsolete Customs, the Analogy of Religion, the Context and Coherence of Words, comparing Scripture with Scripture, are to be minded, besides many Prejudices from diversity of Interpretations, Authority, Education and Company, &c. must be considered, all which make it so easy for a Man to be mistaken, as to exempt his Error from the connivance and animadversion of humane Courts by civil coercion; they who are the great Persecutors, when they please, and it serves their turns, can make large declamations of the Obscurity of Scripture, even to little better than Blasphemy and Atheism, saying it is but a Leaden Rule, a Nose of Wax, and yet see not what a horrible folly and detestable impiety it is to quote Scripture to an End, whether a Man shall be burnt; as many poor, honest, innocent Men, yea even Women were in Queen *Mary*'s Days, after the Doctors had disputed of *Hoc est corpus meum*, and whether *Hoc* was an *individuum vagum* or no? If these things had been only ridiculous, they might have been born, but tending to so much Mischief and Murder, they were intolerable.

Here it is like some will say, That although some things are dark and hard to be understood, yet other things are plain and easy, namely Fundamentals.

I answer, Many things may be evident enough to make Men obnoxious to God's Judgment, which is always according to Truth, and yet not make Men liable to Mens Judgment, who sometimes are very apt to swim with the Stream of the Times, and call every little thing Heresy, and who cannot as yet agree what is fundamental, and how many Fundamentals there be.

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Some say that in the Christian Religion there is only this one, *viz.* That Jesus is the Christ, and such other things are only necessary, without which this Article cannot be retained; but what they are is hard to say.

Neither can we tell how far God will forbear Mens Mistakes about things which in themselves are damning: so was Circumcision, if retained as necessary, even to the Jews; for *Paul* says, *Gal.* 5. 2, 3. *If ye be circumcised, &c. for I testify again to every one that is circumcised, that he is a Debtor to the whole Law*; yet was this Error tolerated a great while, and some judicious Men think that *Paul* never intended this Sentence to be so comprehensive, as to anathematize universally all, even weak Jews, who might mistake out of Tenderness and Infirmity. Add to this, That many understanding and charitable Men have thought and do think, that negative unbelief even of that capital Article, doth not certainly exclude all the Heathens from Salvation, tho ('tis true) they are therefore out of the way, *viz.* the Roadway, the authorized way of Salvation, to say nothing that (*Acts* 19.) there were some called Disciples, who did not know whether there was any holy Spirit or no; which take it in what sense you will, was requisite to Christian Baptism; and we do see as much difficulty, and there hath been as much Controversy in Articles thought fundamental, as in others remoter from the Foundation; and 'tis certain by 2 *Pet.* 3. 16. that some Scriptures are hard to be understood, which yet are of that moment, that Mens Salvation are concerned in the right understanding of them.

IV. My fourth Argument shall be taken *à naturâ Fidei*, from the Nature of Faith, and the things which are revealed, which are spiritual and supernatural; Faith is in an eminent manner the Gift of God, and the natural Man receiveth not spiritual things, for they are spiritually discerned, and so far transcending Mens ordinary Reason, that they cannot be the matter of humane Courts: for example, take the great Article of the Resurrection of Christ: Our Saviour's own Apostles, who had conversed with him, and seen all his Miracles, and although he had told them before of his Resurrection, yet were very slow to believe them who had seen him after he was risen; and *Thomas* would not believe except he might see, therefore these things cannot be the matter of the Magistrates Courts: for who

will say that a Man is to be punished for denying that which is so very hard to be believed by by a meer animal Man, and much less ought a Man to be punished for believing it may be, but part of a great spiritual Truth; I instance in this Article, because it being one of the principal Articles of our Religion, my Argument holds *à fortiori*, in matters of lesser Consequence, the Truth and Virtue whereof for the most part depend upon this Article and the belief thereof; which it self depended in great part upon the Testimony of faithful Men, and still must be supposed harder in that respect for them who never saw nor spake with the Apostles themselves, who did so testify, therefore our Saviour saith, *Blessed are they who have not seen, and have believed.*

Thus Baptism and the Lord's Supper can signify nothing except the Resurrection of Christ be supposed true and certain, and if a Man be supposed to deny the Resurrection of Christ, he may be supposed to deny the use of Baptism and the Lord's Supper, as wholly signifying nothing, and of no use or benefit to him; and much less are Men to inflict temporal Punishment upon him, if he misbelieve only as to some circumstances of them: Shall misbelief of Christ's Presence in the Lord's Supper be punished, and unbelief of Christ's Presence in Heaven not punishable? As one said wittily, that the Italians would burn a Man for not believing Christ's real and Bodily Presence in the Sacrament, whereas themselves did not believe him to be in Heaven. It is much which *Evagrius* saith, *lib.* 1. *c.* 15. That *Synesius* was desired by the Christians to accept of the Priestly Function, although he did not admit the Article of the Resurrection, nor would be brought to believe the same, out of charitable hopes for the future, that he would discern the Truth after a while. Much more are Men to be suffered to enjoy their Lives and Liberties, how indisposed soever they may seem to believe out of charitable hopes, when as they may be very skilful to till the Ground, or exercise some mechanical Trade, and so be very useful to the Commonwealth, and fit to live in it. Education indeed tends much to make the Truth easy to be believed; but it will do as much for an Error, and so far as a Man believes meerly for that cause, his Faith must needs be of little avail, however I will not deny but that with other circumstances, as divulging before such Persons, in such time, in

such

such place, with such Impudence and Effrontery, may turn a Man's Fault into a Crime, and make it reducible to an Error against natural Light; possibly a Man may be justly punished for preaching the Truth, as suppose to rail against Transubstantiation in a Sermon before the King of *Spain*, or call *Mahomet* a damnable Impostor to the *Grand Signiour*'s face.

Though the Jews are not within the design of this Treatise, yet I think this Argument proves that they are to have their Liberty if they live peaceably, without impudently affronting the Christians.

As an additional Supplement to this Argument, let me add these two things.

1. First, That *Faith is the Substance of Things hoped for, the Evidence of Things not seen*; and God would have our Faith to contain in it these difficulties, without which it would lose its real worth and value, the Object whereof would not be as now it is, a Touch-stone and Trial of true Grace and Godliness before God who searcheth the Heart and Reins, and whose Judgment is according to Truth, and to whom it is therefore fit the Judgment of Matters of Faith should be remitted.

2. The other is, That no Man hath been thought fit to be punished, for not performing the supernatural and perfect Precepts of Christ in the most perfect way of Charity, in giving and forgiving, which yet is more necessary to Salvation than Faith is; and therefore why should any Man be punished for not believing, or believing amiss, concerning the supernatural Doctrines of Christ. As for that which some say of forcing the external not internal Acts of Faith, I shall speak to that afterward.

V. My fifth Argument is drawn *ab axiomate*; viz. from that received Axiom, *Dominium non fundatur in Gratia*, that Dominion is not founded in Grace; which I know to be chiefly understood of Sovereignty: But there is a gradual Parity of the Reason upon which that Axiom is founded, which may be reciprocally applied to Subjects: for Pagans though they cannot be lawful Dispensers of the Mysteries of Christ, nor Heirs of the Kingdom of Heaven, yet they may be lawful Kings, and lawful Subjects, lawful Husbands, lawful Masters, and lawful Possessors of their Lives, Liberties and Estates. Christian Religion doth not allow Servants to deny Obedience to their

Masters according to the Flesh, except they may be made free; nor Masters to turn away their Servants contrary to their Covenants; nor ought Christian Magistrates to deny Protection to whom it is due, though they be not Christians, and perhaps was due before either of them was Christian. What might a good moral Heathen say, if your Christianity stirreth you up either to tyrannize or to rebel for causes of mere Religion?

Malo Venusinam quam te Cornelia Mater;
——Si cum magnis Virtutibus affers,
Grande Supercilium.——

Indeed Errors in Religion may have such intolerable Injury mixt with them, as may excuse if not free both the one and the other, but I speak of merely Religious Errors.

It is true wicked Men want the Blessing of God to them upon what they possess; they have not a sanctified use of things, but they have a lawful Title, and 'tis as much Theft to steal from them as the best Godly Men in the World. And therefore Heresy can be no sufficient ground to dispossess any Man of what he hath, for that can only denominate a Man not Godly or Gracious, or to be no excellent Person; but Men are not to be punished by the Civil Sword, because they are not excellent Persons. It is generally thought that Soveraign Authority, be it as absolute as it will, is founded at least in implicite pact or trust, which was necessary in all Nations before Christianity came into the World, and when it did, it was not in the Christian Power to betrust that, nor is it likely that the Community would trust their temporal Rights with the contingent Opinions of their Governours, and therefore that bloody persecuting Opinion must needs it self be an Heresy with moral Impiety mixt with it, and intolerable, as being at Inlet to Thievery and Tyranny on the one Hand, and Rebellion on the other.

And we see by Experience that the principal Hyperaspists and Defenders of the bloody Tenent, I mean the Papists, do not stick to rebel against, to depose and murther Heretical Princes merely for Religion, as they are encouraged to do by the Decrees of their Popes and Councils, by which whether Kings or Subjects they are bound the one to persecute, the other to rebel in case of Heresy, though no Civil Injury be offered, whatsoever Oaths they may have taken.

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Here it may be objected, that what Perſecutors do now is according to Law.

I anſwer, no humane Authority can juſtly make ſuch Acts of Sequeſtration or Confiſcation, or impoſe Fines, much leſs ſuch unreaſonable Fines, as they are wont to do for things merely Religious; what is that elſe but to eſtabliſh Iniquity by a Law? then they ſay they do not force Men to embrace the Faith, but puniſh Relapſers. I anſwer, that Men are forced into Opinions by Law and Fear of Puniſhment, or are ſurprized by Education and Cuſtom before they are able or fit to judg, or are deceived by the plauſible reaſons of abler Men, without hearing what other Men could ſay to the contrary. And then if any Man was to be free from Puniſhment before he turned, he ought to be as free to return, except ſome ſufficient cauſe in Nature or Reaſon could be ſhown to diſſolve his Right in the one caſe more than in the other; to relapſe indeed for any by, or worldly ends, is a great Sin in the ſight of God, and fit for him to judg of, whoſe Judgment is according to Truth. There are a great many things both in Doctrine and Diſcipline for which ſome are very zealous, but the greateſt part do ſo little underſtand or apply their minds to underſtand, that they may turn and return ten times over, for what they know, and yet the Zealots will engage them to be of their ſides; as for the great Perſecutors their talk of Relapſe is but a Pretence, for they perſecute all of all ſorts.

Again it may be objected, that now the Miniſters Eccleſiaſtical Preferments may be endangered by Heretical Doctrine, which Preferments are ſettled by Law.

I anſwer, that that Settlement cannot be good ſo far as it abridgeth any Man, or deprives him of that Right which is veſted in him by the Law of Nature, which is for the Pariſhioner to have his Freedom in matters of Religion, as well as the Rector of the Pariſh, who turns a juſt Reward into Oppreſſion and Bribery, when he uſeth it to another Mans Wrong, what ever Declamations or Defamations ſuch Men may make for their own ends. I anſwer further, that the Miniſters ſpiritual Title is founded in Grace, *viz.* for a certain ſpiritual uſe, which when the Office proves needleſs or vain, the Title falls of it ſelf, becauſe the Foundation is ſunk away from it. Now though in the preſent Objection we ſuppoſe the Office well

found-

founded and terminated in a good uſe, yet in thoſe Offices which are not eſſential to Civil Government, in order to the temporal Weal of the Publique, but founded in Grace for ſpiritual ends, the Uſefulneſs whereof is beſt judged by ſuch as are ſpiritual, the Right is likewiſe beſt judged by them alſo, and to be reputed but as doubtful and diſputable as to others, and conſequently it cannot be an Offence ſo great, and of the ſame Nature to deny that Right, to oppoſe it or undermine it as it is to oppoſe Civil Natural Right, which is all the World over unqueſtionable, eſpecially when that Religious Right is but remotely endangered, and not actually oppoſed by Sedition or other Endeavours without the Command of the Soveraign Authority, paying all Dues in the mean time according to Law. If a Petition was preferred to the Parliament that our Prelates who in this Latitude of Dioceſs are indeed Arch-Biſhops, might be made without any new Ordination, by Patent or Commiſſion only; and before they enter upon their Offices, be bound to declare that they do not hold their Juriſdiction in that Latitude to be *jure divino*, viz. as diſtinct from Presbyters or ſuch parochial Biſhops as watch over the Souls of the People; and that the Means of the Church might be brought into a common ſtock, and more equally diſtributed, as they in their Wiſdom ſhall think fit: the Petitioner in the mean time paying their Duties till ſuch Determination of the Soveraign Authority. I ſee not how they could be juſtly blamed for ſuch a Petition.

VI. My ſixth Argument ſhall be drawn *ab abſurdo*, from the abſurd Conſequences which follow that deteſtable Opinion of forcing Mens Conſciences, to ſay nothing that the National Churches are yet very imperfectly reformed, and therefore very unlikely to manage the Sword well, ſome of them puniſhing one thing and ſome another, and ſome of them in the ſame Church in divers times puniſhing diverſly, as ſeveral parties accidentally get into Authority.

The Sword will cut only the Honeſt and Conſciencious who dare not diſſemble; the reſt for the moſt part will temporize and run home again, when they ſee their Opportunity, and revenge themſelves upon them who were ſo rough with them, and ſhamed them ſo much; and this temporizing and turning, merely for lucres ſake and to ſave themſelves, makes Religion very ridiculous, and weakens the Repute and Authority of the Pro-

Professors, as but Atheists and Men of no real Religion; as truly the Atheists have the Advantage of all Men in this Regard, for to be sure their Consciences are not so scrupulous, but they can subscribe to every thing, they can dissemble and comply for their own ends with all Times and Parties, yea and under the Disguise of Religion help to make all true Religion odious, by persecuting Men as Hereticks and Schismaticks, not because they have no Religion, but because they have (as they think) too much, and are religious in good earnest, and then these Men applaud themselves, and think they have got a great Argument for their Atheism, when they see other Men make Religion but a Dance after the Pipe of the Times.

Then to force Men to the Service of God makes often but Hypocrites, whose presence there should be voluntary, or else it is neither acceptable to God, who requires the Heart; nor to good Men, who must needs desire the greatest Unanimity and Freedom of Consent that may be, in their joynt Addresses to the Throne of Grace, which in worldly things is otherwise; for if a Man doth not pay his Debts with a good Will, it matters not, so the Creditor be paid, he is satisfied.

Again, except the Persecutions be more severe than good Natures can endure to execute, and the Sectaries but few, they either make Sects or make the Sectaries obstinate, who otherwise might come to the publique Assemblies, were they not exasperated by the Violence of them, who would bring them thither and their Rigidities when they come there. Now how should they worship God together, who are Persecutors one of another, who bite and devour each other, and for that Reason can hardly think one another to be Christians, as indeed a Persecutor will have much ado to defend himself to be a true Christian, as great a Zealot as he may take himself to be for the Christian Religion. Likewise Persecution gives way to the Rabble to deride and insult over Men much better than themselves, and to other Men to get some part of a base Livelihood by informing, or to vent their private Malice and Revenge upon old Grudges, and the Heats and Inflammations of Disputation, that so they may have their Wills over them whom they could not overcome in Controversy; also to the Cruelty of covetous Men, who are too timerous of losing their own Preferments, or lurch at other Mens.

Them

Then it often makes Magistrates but the Ministers Executioners, and that in things which they neither understand, nor have reason to understand from their Age, Sex, manner of Education, meanness of Parts, Passion, Employment, *&c.* and which they who study all their Lives (and as far as we know without prejudice) cannot agree about, and in things which Magistrates have no reason to trust other Men, as they may in Physick, and Civil Causes. In what a horrid manner was Q. *Mary* abused by the Priests? And I have read in the Life of King *Edward* the *6th*, that when Archbishop *Cranmer* urged him to sign the Warrant for the burning *Joan Butcher* an Arian, the King vehemently refused, but at last yielded through much importunity, saying it was *Cranmer*'s doing, and he should answer for it, which the Historian saith brought him under Censure, he being afterward burnt himself for an Heretick. If they make themselves suspicious who choose to sell their Wares in a dark Shop, what do they do who sell them by the Light of such Fires? The Lord *Falkland* and Dr. *Hammond* excuse the Protestants from much of this barbarous Cruelty, confessing a little to be too much. To this Head I may reduce an Argument *ab incommodo*; as that it makes the Magistrates to make themselves parties in the Factions of their Subjects, and many times run needless Hazards from the ill humours of their People; and makes the several Parties to bandie against one another, and against the Government; which will make work enough for the wisest Man in the World, to know how to govern such unruly People, who are always striving to get the Civil Sword into their Hands, not for common Defence, but to oppress their Antagonists, often quarrelling about Questions, in themselves perhaps not very material to Religion, which have been long disputed, and may be disputed *sine fine*, as the Controversies about Free-Will, Election and Reprobation have been. Nor is it for the Magistrates Interest, that Men who might live usefully in the Common-Wealth should be kept in Jails for disciplinary notions in Religion, which are uncertain, or manifestly false, supposing Men to be Churches, or pure Churches, which are not so: like making Shoes for all Men by one Last, and the same Prayers to serve for Men of contrary Tempers, and in contrary Circumstances, as we have lately experienced.

It destroys trading, when Men cannot go freely about their business, and lay out their Stocks with security; nor dare Neighbours freely lend Monies to others, for fear they should be beggared by Religious Rules.

Lastly, It could not reasonably be expected that Reformation from such a huge mass of Errors and Confusion should be perfected *simul & semel*, but though all Reformers cannot agree in their Judgments about some weighty things in Doctrine and Discipline, yet except they make account all to be destroyed by the common Enemy, it is most certainly the interest of all who have departed from the Roman Pontific, to join all together as one Man, (so far should they be from persecuting one the other) and say, *I am as thou art, my Horses as thy Horses*, &c. Which I say, not to propagate the true Faith by Force, but by such honest and lawful means as God hath wonderfully put into their Hands, to defend themselves against their bloody and implacable Adversaries, who have lately appeared in their Colours, and gone about to destroy all the Northern Hereticks with a Vengeance, as it is phrased by a late learned Author of a Treatise concerning Civil and Ecclesiastical Laws, who hath displayed the Cruelty of their Decrees and Canons, and clearly proved that there is no trusting to their Words, Promises or Oaths.

VII. My Seventh and last Argument shall be taken *ab Authoritate Ecclesiæ affirmative*, from the Authority of Christians both ancient and modern; the Antient Christians generally deemed the Persecution of Hereticks, for at least well nigh the first 400 years: for which there are well-known Testimonies cited out of *Tertullian, Lactantius*, &c. that Faith is to be perswaded, not forced. St. *Austin* is very expres. *contra Cresconium Grammaticum*, l. 3. c. 50. *Nullis bonis in Catholicâ hoc placet, ut aliquis ad mortem in quemquam hæreticum sæviat*; It pleaseth no good Men in the Catholick Church, that Hereticks should be put to Death. This Testimony sheweth not his private Opinion, but the Judgment of the Universal Church; which no Man knew better than he, and strongly proves that the Papists are neither the Catholick Church, nor good Men, for he saith, *Nullis bonis hoc placet, & in Catholicâ*; but it is no wonder for Apostates to allege the whole Primitive Church as for them,

when it is all against them. This place is quoted by Bishop *Jewel*, *Apol.* c. 32. *Div.* 1. *p.* 431. who cites also *Chrysostom Homil.* 19. *in Matth. Num Ovis persequitur Lupum Christianus hæreticum?* &c. Doth the Sheep persecute the Wolf? No, but the Wolf doth persecute the Sheep: Doth the Christian persecute the Heretick? No, but the Heretick doth persecute the Christian. And again, Whomsoever you see rejoicing in the Blood of Persecution, he is the Wolf, and wisheth that God would kill the Heretick with spiritual Darts, and the two-edged Sword of the Spirit.

Eusebius relates in *Vita Constantini*, that *Constantine* decreed, that they which erred should have equal fruition of Peace and Quiet with the Faithful; and that we may know *Constantine* was in earnest, he puts it into his Prayer, *l.* 2. *c.* 56. It is true he banished *Arius*, but he banished likewise *Athanasius*, and neither of them for their Opinions, (which he accounted trifling: and Bp. *Jewel* saith, in *Apol. c.* 3. *Div.* 2. *p.* 524. was thought to encline in his own Opinion, rather to *Arius*) but for other Causes and Immoralities and unchristian Contentions, not to be reconciled by the Emperours Tears, Letters, and the Mediation of his Legate *Hosius* Bishop of *Cordoba*. This is certain, that *Athanasians*, *Arians*, and *Novatians*, were all suffered in the same Cities, to have Churches and Bishops of their own, whose Successions are delivered in Ecclesiastical History, till Pope *Celestine* banished the *Novatians* out of *Rome*, deprived them of their Churches, and constrained *Rusticula* their Bishop to raise private Conventicles, *anno* 435. *Socrates, Schol. l.* 7. *c.* 11. For now he and *Cyril* of *Alexandria* were grown great, having gone beyond the Bounds of Priesthood, and got the temporal Sword.

He that would see more of Antiquity may consult Mr. *Daillé* of the right use of the Fathers, and read the Comments of the Fathers upon the Parable of the Tares, *&c.* ——*To know not what Spirit ye are of.* I shall add some modern Testimonies of our own Country-men.

The Apology of the Church of *England*, set out by Authority, *p.* 431. *mihi.* 'As for us we run not to the Fire, as these Men's Guise is, but we run to the Scriptures, neither do we reason with the Sword, but with the Word of God. Indeed the Writ

Writ *de Heretico comburendo*, is now out of Doors, and I hope his Fellow *de Excommunicato capiendo*, will follow him ere long: See Dr. *Hammond* in his Defence of my Lord *Falkland*, who writes very fully to this Purpose, but especially see his last Words about Pædobaptism in his six Queries.

His Words are —— And God forbid we that desire to reduce Dissenters —— should ever think of damning, killing, or persecuting any that dissent in this or any other particular. —— And I think it but Duty to pray against that treacherous Prosperity, which should be able to infuse any greater Degree of Unkindness or Roughness into the Minds of Men, whether Sons or Fathers of the Church, than what I here avow to be strict Duty in every Christian. Dr. *Taylor*, lately Bishop of *Down* and *Connor*, wrote a whole Book *de Libertate Prophetandi*; the like hath been done by several Conformists in their Pleas for Nonconformists. Mr. *Hudson* who rode with King *Charles* the first in Disguise, in his Treatise of Monarchy, &c. dedicated to the King, asserts *Liberty of Conscience* boldly, and perhaps too boldly; but that it was Mr. *Hudson*, who carried his Life in his Hand, and at last lost it in the King's Cause.

See what Dr. *More* in his Appendix to his Antidote against Idolatry, saith —— p. 55. of *Nadab* and *Abihu*'s offering strange Fire before the Lord, *Lev.* 10. 1. where he compares it with *Luke* 9. 54. *John* 16. 2. and saith —— Whether Protestants or Papists that kill one the other for conscientious Difference in Religion, as thinking *necessary* to make an Oblation of Divine Worship to God thereby, do turn the living God of the Christians (who is Love it self) into the foulest Idols of the Heathens, who used to be worshipped with the bloody sacrificing of Men.

This holds good in Proportion against Religious Robbery, by Fines, or Confiscation of Goods. Mr. *Day* on *Isa.* 1. 21. saith, that to take away Mens Livelihood is there called Murther.

Lastly, To name no more, Dr. *Burnet* hath written very learnedly and solidly in Defence of Liberty of Conscience, in his Preface to the History of the persecuting Emperours.

Now from what hath been said, appears the Vanity of those Men who are content to give a private Liberty, but not to assemble; which signifies little to many Men, who think them-

selves bound to do so from *Heb.* 10. 25. and not to live like Atheists.

Others will give Men Liberty, if they will hold their Tongues, and distinguish betwixt the outward Exercise or Profession of Faith, and the internal Acts of Faith, which they say are not to be forced; thank them for nothing, did the primitive Church only tolerate the Thoughts of Hereticks; and who can think any sober Man should dispute of Mens private Thoughts: which as such no Man can know, or if they be declared and punished, yet cannot a Man certainly say that they are forced, *viz.* that his Thoughts are altered, for that may be dissembled, but all Men have hitherto supposed that Mens Consciences are capable of being forced, that is punished, taking the inward and outward Acts together as they ought in this Question: some I see would give such a Liberty as Antichrist never denied.

Now it may be fit to answer the principal Arguments, which are produced by the Adversaries.

1. From *Rom.* 13. where Magistrates are said to be a Terror to evil-Doers, *&c.*

I answer, that Text only authoriseth the Magistrate to punish civil Injuries and moral Evils. He may punish Treason, Rebellion, Murther, *&c.* Such Heresies are Works of the Flesh, and against the Light of Nature, such as the Apostle mentions, *Gal.* 5. 20. and what they are may be known by their Companions there enumerated; that the Apostle doth not speak of Errors in the Faith, is plain, because the Magistrates were then Heathens, and he seems to speak of the present Powers, when he saith (*The Powers that be*, &c.) though 'tis true he speaks of them rather according to what they ought to be, than according to what they were, as may appear by those Words, *He is the Minister of God to thee for good*, which some in alledging this Scripture do little consider; Doth the Apostle make *Caligula*, and *Nero*, and *Commodus*, with the whole Tribe of Usurpers Judges of the Faith of Christians? and therefore *Paul* could appeal to *Cæsar* only, whether there was any Immorality or Crime in him deserving Death, as the Jews calumniated.

2. It is objected, that the King is bound to serve God, not only as a Man, but as a King.

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I answer, It is true, and that may be done without Violation of Conscience in matters of Faith; He may punish Immoralities, Impieties, and such as sin against their Profession and Conscience; He may serve God by Protection of his Church, by his Treasure, Munificence, praising and encouraging good Christians, without bribing Men by extravagant Rewards, and Wages, which bear no Proportion to the Work, by good Perswasions and Advice, by his Wisdom in calling Councils, and presiding in them; and by defending even honest and well-meaning Hereticks from such cruel Men, as put honest Men into Bear-Skins, and then set the Dogs on them, and care not what censure they pass upon Dissenters: so lavish are they in calling every little thing Heresy, Blasphemous and Damnable; of which *Chrysostom* complains as too rife in his time, in his Comment on *Matthew*; but these Men learnt that Language of Antichrist the old Anathematizer.

Some urge the Power of the Kings of *Israel*, in 2 *Chron.* 15. 13. *That whosoever would not seek the Lord God of* Israel, *should be put to Death.* But this is already answered in Propos. 24.

3. Some say, if Liberty of Conscience be granted, there will be Confusion.

I answer, This is a Selfish Objection, for I dare say the Objector would not use it, if he stood in need of Liberty himself. Unity and Uniformity are good things, but we must come honestly by them.

I am for Unity, but as Bp. *Latimer* said, Unity in Verity, and not in Popery. There is Unity enough amongst Mahumetans in *Spain* and *Muscovie*, and yet in Reality there is the greatest Babylonical Confusion, (that is) mixture of Truth and Error, which is the Mother of the greatest Dissension; for whensoever the Force shall be taken off, (as is fit) there must of necessity be the greatest Differences, when Men shall use their own Judgments from proper Arguments, and not as now one Judg for them all, right or wrong at Adventures: then it will appear that he who pretends himself most infallible, and other Men to be Hereticks, is most deceived and the greatest Deceiver and Heretick of all, as 'tis usual with them to be; who most of all cry out upon other Men as Hereticks and Schismaticks.

ticks, to be indeed such themselves; and if Heresicks were to be punished, they deserve most of all to be punished.

4. Some say, If Liberty of Conscience be granted, that then there can be no National Church.

I answer, Was there then no National Church for the first three hundred Years before the Emperor received the Faith?

It is true, there can be none with Coercion to it, nor should there be any such.

What National Church can there be where the major part of the Nation are Infidels or Papists? What Parochial Church, where the major part of the Parish are such?

What National Churches can there be, where the Soveraign Authorities are Infidel or Popish? must they appoint the Bishops? They are (sure) like to be good ones!

Constantine would set up no such National Church, but suffered *Arians*, *Novatians*, and others to have their Churches and Bishops. And Mr. *Heylin* saith there were Bishops in *Poland*, but no Man forced by the Civil Sword, and Bishops could uphold, when the Emperours were against them: but now we think as good no Bishop, if all that live within such a part of the Country be not forced to be subject to him, as being in his Diocess.

That Church may be said to be National, when the most are of it, and especially when the Soveraign Authority doth countenance it, doth establish and encourage it by favourable Laws and Priviledges.

The best way to make a National Church, was by such healing Principles as these.

For Magistrates to command as little as may be, and People to obey as much as they can; besides the Test against Popery, to require as little to be subscibed to as is possible, and that in the words of the Scripture.

To let the Parishes where the Fault is committed to examine and censure gross and notoriously scandalous Offendors; and order the needful Rites and Ceremonies of their own Church, without chargeable Travelling, tedious Suits, crafty Pleadings, Quirks of Law, and Petteſoggeries, Fees and Charges, Extortion and Barretry in forreign Courts, who in-

indeed have nothing to do in such matters not easily to impose a Pastor upon a Parish without their Consent; nor a President Bishop upon his Clergy without their Consent.

The Ancients thought it fit the Crime should be judged where it was committed.

And be with the chief of them to ordain Ministers, and see that they who receive the Magistrates Maintenance, do the Work accordingly. I am so far from being against Bishops, that where there is one, I would there were many more.

5. Others say, Why do they then deny the Papists Liberty?

(1.) Because the Papists are gross Idolaters against Natural Light.

(2.) Because the Papists will give no Liberty. And if they do promise it and swear it, by virtue of the Decrees of Popes and Councils, they must not perform it longer than the Pope pleaseth, if they will be true to their Religion.

(3.) Because the Papists introduce a Foreign Power, *viz.* the Pope with his Locusts, to burthen the Land, and engage the People, and cheat them of their Money; and therefore no more tolerable than Regraters or Forestallers, &c.

(4.) Because the Papists, where they get full Power, are unmeasurably cruel. Bishop *Bramhall* against *Milletier* saith, that they have equalled, if not exceeded, the Heathens in Cruelty, and now of late they have outdone themselves, witness their Dragooning in *France* and *Savoy*, and the like in other places. Otherwise,

The Papists are not to be punished as Heteticks. Queen *Elizabeth* and our Kings do expresly deny, that they punished them meerly for their Religion: Indeed our Laws were very cruel against them, but never executed in any very high degree; and as to any great Violence or Severity, I wish they were so moderated as to be fit to be executed, and with consideration of all mollifying Circumstances, and not one Man to suffer for the Offence of another.

IV.

IV. My fourth and last Conclusion is this, An erroneous and heretical Conscience is not free in things meerly Religious, from the Judgments of God, nor from the Censures of the Church by Admonition and Excommunication, in Causes purely Ecclesiastical, where there is any gross scandal or danger by the Leaven of Infection; for these two were the chief Causes of Excommunication in the Primitive Church, and that chiefly in case of moral Impieties, which now are or should be carefully look'd to by the Christian Magistrate; and therefore we have now so much the less need of Excommunication, our Neighbours who may be offended, being also Christians as well as we; as likewise neither have we so great need of Deacons and Deconesses, now our Sick and Poor are provided for by the Christian Magistrates; however it is still of very good use, if it be managed by the Church where the Crime is committed, and who are best able to judg, and not by Forreigners, nor buoying Men up to Obstinacy for every little thing, for Fees and Groat-matters. Now though Excommunication be concerned only in gross things, yet the Conscience is bound to Obedience, not only to the Ordinances of Christ, but even to the laudable Rites and Orders of that particular Church, where a Man liveth or converseth, or to the Churches as associated for Order and Concord-sake, without Infringement on the Rights of particular Congregations or Churches, or to the Customs of the Church, which are useful, at least not hurtful, as is undeniably proved from St. *Paul's* Discourse of Womens vailing their Faces, 1 *Cor.* 11. and by his Discourse of speaking with Tongues, 1 *Cor.* 14. and truly if a Man doth not profess himself unsatisfied as to the Lawfulness of such Customs or Ceremonies, which are pretended to be but for the Decency of the Administration of the Service of God, I for my part take it to be a Peevishness and Crossness not to observe them; and to be over-scrupulous, is but to be superstitious, on the one hand, as some under Pretence of Obedience to Authority in indifferent things, have been too rigorous, offending as grosly against *Rom.* 14. as the Papists

piſts by Latin Prayers do againſt 1 *Cor.* 14. theſe following Rules I think would do well to be obſerved concerning indifferent things.

1. That we entertain them but as alterable things, in which Authority may uſe their Liberty to change or aboliſh them, as the Peace and Edification of the Churches ſhall require, without fear of offending the Papiſts in making uſe of our Liberty, which tends rather to do them and ſome carnal Proteſtants good; for they are in manifeſt Slavery to their Cuſtoms; or however may do our own People good, *viz.* that they may never come to be enſlaved ſo bad as Papiſts are. *Vide Theſes Arminii.*

2. They be not oppreſſive by their Multitude, as *Auguſtin* complained of them in his time.

3. That they be not dubious, nor ſubject to breed Scruples in Mens Minds, and Factions amongſt them.

4. Not ſavouring of Superſtition; thus the Primitive Church was troubled with Judaizers and Gentilizers, according to the ſeveral Schools out of which the Chriſtians came.

5. Not wholly needleſs, but ſuch as have ſome convenience. For indifferent may be conſidered two ways:

(1.) Abſolutely, as oppoſite to convenient; as to ſay it is indifferent, that is, it hath nothing good nor bad in it at all; ſuch things ſcarce fall under deliberation; and ſurely no prudent Governours will command any ſuch things in Religion, though in Civil Things poſſibly they may, as Captains, meerly to try their Souldiers Obedience.

(2.) Comparatively, it is indifferent, that is, it is not unlawful by any Law of God commanding or forbidding it; and it may be another thing might ſerve the turn as well, yet there is ſome convenience in it without doubt; Governours may command in ſuch things; and all People which are concerned and ſatisfied of their Lawfulneſs, are bound to obey, or elſe all Government would be vain; yet are ſuch Commands even of

Magistrates as far as they are concerned (except there interpose some Circumstances which may superadd a civil or moral consideration) but directive and paternal, as were those of the Christian Bishops and Councils under the Pagan Emperours: the Civil Magistrate by becoming a Christian *ipso facto*, acquires a Right as the Head of all Political Authority, in the National Churches, concerning matters of Prudence and Concord, being *Parens Patriæ*, and *Pater-Familiæ*; and may in that regard be called the Bishop of his Kingdoms, as *Constantine* was called the Universal Bishop of the Empire; and as we commonly say, that every Master of a Family is a Bishop in his own House. But in such cases there is no necessity to think that such kind of Magistrates Commands must always be back'd with Civil Punishments, or else Authority is despised: for God himself, as many Authors do say from 1 *Cor.* 7. 38. doth counsel us to do better, when he is yet pleased if we do well, and doth not punish us for the breach of all things which he commands us.

6. They should be such as agree with the Analogy of the Christian Religion, with the plainness and simplicity of [illegible], &c. not such as are fitter for Theatrical Shows and Pomp, to feed the carnal Eyes and Ears of the People, more than for the decent administration of the Service of a crucified Saviour.

7. We must have a care not to content our selves with a meer formal and customary way of serving God in a road of outward and bodily Observations, so to flamm off our Consciences, rather than to study real Godliness, Mortification, true Faith, Love and Charity toward God and Man, above which if any Man advanceth Rites and Ceremonies, let him boast what he will of his Obedience, he turneth lawful things into Pharisaism: Washing of Hands was no unlawful thing of it self.

8. I conceive that they are not to be made Conditions of Communion, so as Men may by their Contumacy be buoy'd up to Excommunication; for that is to declare a Man to be no Christian, but as an Heathen, which is too

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cenſorious to ſay of one, who for ought you know may be really unſatisfied of the lawfulneſs of things propounded, (which are indeed indifferent) or elſe he would willingly obſerve them; indeed if they be very perſpicuouſly indifferent, 'tis a ſhrewd ſuſpicion of a factious Mind; but Proof, and not Suſpicion, muſt be the ground of Puniſhment.

Thus have I *pro modulo*, through God's Goodneſs, ſatisfied ſuch Queſtions as do appertain to Liberty of Conſcience.

FINIS.